

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Mar 27, 2024

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

GREGORY D. STEWART,

Defendant.

NO: 2:17-CR-55-RMP-1

ORDER GRANTING THE
GOVERNMENT'S MOTION TO
AMEND RESENTENCING
JUDGMENT

BEFORE THE COURT is the Government's Motion to Amend Resentencing Judgment, ECF No. 76. Defendant responded, ECF No. 79. Having reviewed the motion, the file, and the relevant law, the Court is fully informed.

The Government seeks to impose mandatory condition number 5 as a condition of Defendant's supervised release, requiring that Defendant comply with the requirements of the Sex Offender Registration and Notification Act. ECF No. 76 at 1. The Government also requests that the Court set a date and time for oral argument. *Id.* at 3. In his response, Defendant has no objection to the imposition of

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1 the mandatory condition as proposed by the Government. ECF No. 79 at 2.

2 Defendant does not request oral argument in this matter. *Id.*

3 The Court finds good cause to grant the Government's motion. Defendant
4 entered a plea of guilty to Conspiracy to Commit Child Sex Trafficking in violation
5 of 18 U.S.C. § 1594(c). *See* ECF No. 36. Such a conviction requires Defendant to
6 register as a sex offender, *see* 34 U.S.C. §§ 20913(a), 20911(3)(A)(i), and the Court
7 shall order Defendant to comply with the requirements of the Sex Offender
8 Registration and Notification Act as a condition of supervised release, 18 U.S.C. §
9 3583(d). This box was not checked on Defendant's November 28, 2018,
10 Resentencing Judgment. *See* ECF No. 72 at 3. The omission of this condition was a
11 clerical error that the Court may correct "[a]fter giving any notice it considers
12 appropriate." FED. R. CRIM. P. 36. The Court finds that it gave sufficient notice by
13 appointing counsel for Defendant on February 28, 2024, and allowing Defendant an
14 opportunity to respond and to request oral argument. *See* ECF No. 77. Defendant
15 responded that he has "no objection," and he "does not request oral argument on this
16 matter." ECF No. 79 at 2.

17 Accordingly, **IT IS HEREBY ORDERED:**

18 1. The Government's Motion to Amend Resentencing Judgment, **ECF No.**
19 **76**, is **GRANTED**.

20 2. Defendant's November 28, 2018, Resentencing Judgment, ECF No. 72, is
21 amended to include mandatory condition number 5 as follows:

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1 You must comply with the requirements of the Sex Offender
2 Registration and Notification Act (34 U.S.C. § 20901, *et seq.*) as
3 directed by the probation officer, the Bureau of Prisons, or any
state sex offender registration agency in which you reside, work,
are a student, or were convicted of a qualifying offense.

4 3. An amended resentencing judgment will follow.

5 **IT IS SO ORDERED.** The District Court Clerk is directed to enter this
6 Order and provide copies to counsel, the United States Probation Office, and the
7 U.S. Marshals Service.

8 **DATED** March 27, 2024.

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10 *s/ Rosanna Malouf Peterson*
ROSANNA MALOUF PETERSON
11 Senior United States District Judge
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